

REMARKS

Claims 8-16, 21 and 23-26 are all the claims pending in the application. Claims 8, 13-16 and 26 are amended. Claims 10, 11, 21 and 23-25 are cancelled.

Drawings

The drawings are objected to under 37 CFR 1.83(a) because “the spreadable element being contactable with each limit stop (claim 1 and 10, lines 14-16) must be shown or the feature(s) canceled from the claim(s).”

This objection is moot in view of the cancellation from claim 8 of the recited feature and the cancellation of claim 10.

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: "only one single inner cone" recited in claims 8, 10, 15, and 16, lines 9-10, and "the radially spreadable element is moveable axially within the distance between the limit stops, including the gap distance, without rotation thereof and is contactable with each limit stop" recited in claim 8, lines 14-16.

As for the first objection, an appropriate amendment to the specification has been made. Clearly, the preferred embodiment in Figs. 1 and 2 shows only a single inner cone. No new matter is added.

As for claim 8, the second objection is moot in view of the amendment of the claim.

As for claim 10, the objections are moot in view of the cancellation of the claim.

Claim Objections

Claims 8, 10, 15, and 16 are objected to because of certain informalities.

Regarding claims 8, 10, 15, and 16, the Examiner requires that “thereof “in line 15 should be defined. Claims 8, 15 and 16 have been amended to specify the element.

Regarding claims 8, 10, 15 and 16, the Examiner states that “the subject matter of these claims is directed to ‘an adjustable-length pole’ but has no mention that the inner tube is actually inserted in the outer tube to render adjustability. Accordingly, these claims should recite that the inner tube is actually inserted in the outer tube to render an adjustable-length pole. This adjustability of the two tubes only becomes possible until claim 26.”

Claims 8, 15 and 16 have been amended to remove this basis for rejection. Claim 10 has been cancelled.

Finally, with regard to claim 16, the Examiner notes that, “a” in line 25 should be –the--.

Appropriate correction has been made.

Claim Rejections – 35 USC § 103

Claims 8, 9, 12, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenhart, DE-29,706,849, in view of Neuheiten, CH-267,177. This rejection is traversed for at least the following reasons.

Claim 8

The claim has been amended to add the limitations of claim 11, which the Examiner finds allowable. Thus, the claim is allowable over the prior art.

Claims 9 and 12

These claims depend from claim 8 and would be allowable because of that dependency.

Claim 26

This claim has been amended to remove redundant limitations and to depend from allowable amended claim 15, and would be allowable because of that dependency.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lenhart, DE-29,706,849, in view of Neuheiten, CH-267,177, and further in view of DSI, DE 8,004,343 U1. This rejection is moot in view of the cancellation of the claim.

Claims 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenhart, DE-29,706,849, in view of Neuheiten, CH-267,177, and further in view of Kupski, 3,145,669. This rejection is traversed for at least the following reasons.

Claim 15

Claim 15 has been amended to incorporate the limitations of claim 21 and allowable claim 24. The claim also has been clarified to recite that “at least one” of the axial slots extends over most but not all of an entire axial length of the radially spreadable element, and that “at least one” of the axial slots extends to but not entirely through a shoulder portion of said radially spreadable element. Thus only one of the slots must meet the recited limitations. That is, one or more, but not all of the slots extends over most but not all of an entire axial length of the radially spreadable element. Also, one or more, but not all of the slots extends to but not entirely through a shoulder portion of said radially spreadable element. Finally, the same or different slots may meet these two limitations.

Claim 21

The rejection is moot in view of the cancellation of the claim.

Claims 16 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenhart, DE-29,706,849, in view of Neuheiten, CH-267,177, and further in view of DSI, DE-8,004,343U1, and Kupski, 3,145,669. This rejection is traversed for at least the following reasons.

Claim 16

Claim 16 has been amended to incorporate the limitations of claim 23 and allowable claim 25. The claim also has been clarified to recite that “at least one” of the axial slots extends over most but not all of an entire axial length of the radially spreadable element, and that “at least one” of the axial slots extends to but not entirely through a shoulder portion of said radially spreadable element. Thus only one of the slots must meet the recited limitations. That is, one or more, but not all of the slots extends over most but not all of an entire axial length of the radially spreadable element. Also, one or more, but not all of the slots extends to but not entirely through

a shoulder portion of said radially spreadable element. Finally, the same or different slots may meet these two limitations.

Claim 23

The rejection is moot in view of the cancellation of the claim.

Allowable Subject Matter

Claims 11, 24, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have placed each of claims 11, 24 and 25 into independent form by adding their limitations to parent claims 8, 15 and 16, respectively.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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